**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO. 137 OF 2005**

Awadh Narayan Pande ...Petitioner

Versus

State of Maharashtra ...Respondent

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Mr. M.G. Dwivedi, Advocate for Petitioner

Mr. V.B. Konde Deshmukh, A.P.P. for State.

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**CORAM: SMT. V.K. TAHILRAMANI, J.**

**DATED: 1ST JULY, 2005**

**P. C.:-**

1. Heard the learned advocate for the petitioner and the learned A.P.P. for the State.

2. The petitioner is seeking quashing of F.I.R. in C.R. No. 351 of 2004 of Coloba Police Station, Mumbai. The said case is under Section 193, 463, 465, 467, 468 and 471 r.w. 34 of I.P.C.. In the said case a complaint has been filed with the Registrar of the City Civil and Sessions Court stating therein that in Civil Suit Nos. 2388 of 2003, 2389 of 2003 and 2390 of 2003, two documents have been furnished. The first document was an affidavit of Ravindra Arjun Rathod dated 29.4.1993 and the second document was a Power of Attorney dated

29.4.1993 given by Ravindra Arjun Rathod in the name of Chandu Nanji Rathod. The said documents were found to be forged, hence, the learned Judge of the City Civil Court, Greater Mumbai, directed the Registrar of City Civil Court to file criminal complaint.

3. In the complaint, it is specifically stated that these two documents were furnished by the plaintiffs as the said forged documents were prepared with the help of the present petitioner. Some of the accused have been arrested in the said case. However, the present petitioner is absconding. Investigation in respect of the present petitioner is still going on.

4. Looking to the averments made in the complaint and the fact that the investigation is going on, I do not find that this is a fit case to quash the F.I.R. and the proceedings relating thereto.

5. Writ Petition is rejected.

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